

**THE UNITED STATES DISTRICT
COURT SOUTHERN DISTRICT OF
TEXAS CORPUS CHRISTI DIVISION**

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| Michael Louis Vickers, et al, | § | |
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| Plaintiffs, | § | |
| | § | |
| v. | § | CIVIL ACTION NO: 2:24-cv-00169 |
| | § | |
| Joseph R. Biden, Jr., et al., | § | |
| | § | |
| Defendants. | § | |

**DEFENDANTS’ CONSENTED-TO MOTION
FOR EXTENSION OF THEIR DEADLINE
TO RESPOND TO THE COMPLAINT TO CONDUCT
JURISDICTIONAL DISCOVERY**

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendants respectfully move the Court for a 30-day extension of time to answer or otherwise respond to the Complaint to permit the parties to seek and exchange jurisdictional discovery prior to filing a Rule 12(b) motion, in accordance with the Court’s order at the Initial Scheduling Conference on October 15, 2024. This would extend Defendants’ response deadline from November 14, 2024, to December 16, 2024.¹ Plaintiffs consent to this extension request.

Plaintiffs challenge several of Defendants’ immigration policies and actions pursuant to the Take Care Clause of the U.S. Constitution, the Administrative Procedure Act, and the National Environmental Policy Act, including: Defendants’ Guidelines for the Enforcement of Civil Immigration Law, diversion of some funding from the border wall initiative, termination of the Migrant Protection Protocols, the CHNV parole processes, the Family Reunification Parole

¹ The 30th day, December 14, 2024, falls on a Saturday.

processes for Colombians, Hondurans, Guatemalans, and Salvadorans, and use of the CBP One App for scheduling border interviews. ECF No. 1. Defendants' deadline to answer or otherwise respond to the Complaint is currently November 14, 2024. ECF No. 14.

At the Initial Scheduling Conference on October 15, 2024, the Court ordered the parties to meet and confer on discovery pertaining to Plaintiffs' standing, and exchange such and incorporate evidenced adduced in this manner into the parties' jurisdictional arguments in and responding to Defendants' Rule 12(b) motion. The parties met and conferred on this matter on October 16, 2024, and determined that it would take some time to determine the extent of relevant material, serve discovery requests, compile and serve responsive answers and documents, and conduct any necessary follow up should there be questions or deficiencies. Further, the Federal Rules permit parties 30 days to respond to discovery requests, *see* Fed. R. Civ. P. 33(b)(2), 34(b)(2)(A), although the parties would endeavor to operate on an expedited schedule to the extent possible.

Given the Court's indicated intent of resolving Defendants' jurisdictional Rule 12 arguments related to standing in one order without the need for successive briefing and multiple rounds of adjudication, it would serve the interests of judicial economy for the parties to sufficiently and thoroughly conduct jurisdictional discovery before bringing their arguments to Court. In order to allow sufficient time for this discovery process to play out, and to analyze and assimilate the evidence adduced into their jurisdictional arguments, Defendants will need additional time prior to filing their Rule 12(b) motion. Accordingly, Defendants respectfully request an additional 30-day extension of their Answer deadline. This would place their deadline on December 16, 2024.

Plaintiffs stated that they consent to this request for a time extension, but indicated that they still intend to file their motion for a preliminary injunction by November 14, 2024.

Accordingly, Defendants respectfully request the Court extend their deadline to answer or otherwise respond to the Complaint by 30 days, until December 16, 2024, to permit sufficient time for the parties to seek and exchange discovery related to Plaintiffs' standing.

Dated: October 17, 2024

Respectfully submitted,

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Counsel for Defendants

CERTIFICATE OF SERVICE

I, Joseph A. Darrow, do hereby certify that on October 17, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/ Joseph A. Darrow
JOSEPH A. DARROW
U.S. Department of Justice